REMARKS

The Specification

The continuing data in the first paragraph of page 1 has been updated to provide the provisional application number that was assigned to Application No. 09/539,248 following conversion of this application to a provisional application.

The paragraph spanning pages 24-25 has been replaced with a new paragraph because the original paragraph contained a typographical error. Specifically, the MuSK-R sequence shown in Figure 2 and SEQ ID NO:2 was identified in this paragraph as having 879 amino acid residues, when it in fact only has 869 residues. One would immediately recognize the error and would appreciate that 869 is the correct number by other references to the MuSK-R sequence in the specification, *e.g.*, in Figure 2 itself, in the description of Figure 2 on page 4, line 15, and in the paragraph spanning pages 8 and 9. Therefore, Applicant respectfully submits that this correction does not constitute new matter.

Restriction/Election

As set forth above, Applicant has elected the invention set forth in Group I (claims 1-12, 14-21, 23, and 24) and the species mMuSK-RII with traverse. Applicant traverses because as Applicant understands the the statement in paragraph 7 of the Office Action ("[c]laims 2-5 contain 4 species"), the Office is taking the position that each of claims 2-5 contain a distinct species. This is not the case, however. Each of claims 2-5 merely use language of varying scope to describe certain mutant MuSK-R's. Two examples of such mutants are referred to in the specification as MuSK-RI and MuSK-RII (see, *e.g.*, the paragraph spanning pages 8 and 9, and the (amended) paragraph spanning pages 24-25). Each of claims 2-5 encompass these two mutant MuSK-R's, MuSK-RI and MuSK-RII.

Furthermore, claim 5 has been amended to more specifically recite MuSK-RI and MuSK-RII by reference to SEQ ID NO:2. In particular, each of these two mutants is defined as a certain

deletion mutant of this amino acid sequence. Therefore, as any search of SEQ ID NO:2 is likely to turn up deletions thereof, Applicant respectfully submits that it would not constitute an undue burden to search the claimed method reciting both MuSK-RI (SEQ ID NO:2 wherein amino acids 538-869 are deleted) and MuSK-RII (SEQ ID NO:2 wherein amino acids 577-869 are deleted).

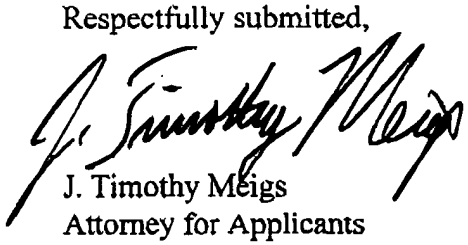
However, if the Examiner maintains the requirement that Applicant elect among species, then Applicant hereby elects to prosecute claims that recite MuSK-RII (SEQ ID NO:2 wherein amino acids 577-869 are deleted).

CONCLUSION

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

No new matter has been added. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Specification

The paragraph on page 1, lines 4-8, has been replaced with the following rewritten paragraph:

-- This application claims the benefit under 35 USC §119(e) of the following United States provisional patent application: Provisional Application No. 60/266,331. [serial number to be assigned,] filed March 30, 2000. [, as U.S. Application No. 09/539,248, for "Selectable Marker Genes," and subject to a Petition for Conversion to Provisional Application, filed November 16, 2000.] --

The paragraph on page 24, line 28, to page 25, line 5, has been replaced with the following rewritten paragraph:

-- Using primer pair MuSK1380F and 1657R results in the deletion of amino acid residues 538 – 869 [879] of MuSK-R, using primer pair MuSK1380F and 1747R results in the deletion of amino acid residues 577 - 869 [879]. The two mutant forms of MuSK-R are designated [MuSK-RΔ538-879] MuSK-RΔ538-869 (MuSK-RI) and [MuSK-RΔ577-879] MuSK-RΔ577-869 (MuSK-RII). In both MuSK-RI and MuSK-RII most of the intracellular domain of MuSK-R as shown in Figure 2 is deleted. While not meant to limit the invention in any manner, it is believed that both truncations result in a deletion of the kinase domain and most of the substrate binding motifs of the wt MuSK-R illustrated in Figure 2. --

In The Claims

Claims 13 and 22 have been canceled without prejudice or disclaimer.

Claims 2 and 5 have been amended as follows:

2. (Amended) The method according to claim 1 wherein the mMuSK-R is a mutated [sequence] form of the amino acid sequence [encoded by the nucleic acid molecule] set forth in SEQ ID NO:2. [SEQ ID NO. 1.]

5. (Amended) The method according to claim 3 [2], wherein the mMuSK-R comprises SEQ ID NO:2 wherein amino acids 538-869 or 577-869 are deleted. [is mMuSK-RI or mMuSK-RII.]

New claims 25 and 26 have been added:

25. (New) The method according to claim 1, wherein the mMuSK-R is a polypeptide having at least 300 amino acid residues deleted from the cytoplasmic domain of the MuSK-R set forth as SEQ ID NO:2.

26. (New) The method according to claim 25, wherein the mMuSK-R is a polypeptide having at least amino acid residues 577-869 deleted from the MuSK-R set forth as SEQ ID NO:2.